HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE S. ANANDA REDDY

WRIT PETITION No.14993 of 2007

Date:16-07-2007.

Between :

M/s.IBP Co. Limited, Secunderabad,
rep. by its Senior Divisional Manager.

.....Petitioner

And

The Assistant Commissioner (CT) LTU, Begumpet Division, Hyderabad & others.

.....Respondents.

HON'BLE SRI JUSTICE BILAL NAZKI
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ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Appeal is pending and a stay application has also been filed before respondent No.3, who has heard it on 29th of June 2007 and no orders have so far been passed. In the meantime, coercive steps are being taken for recovery.

We have heard learned counsel for the parties and we feel that the interests of justice would have been met if stay was granted pending appeal, subject to deposit of half of the liability. Therefore, we set aside the order of the authority and direct that half of the disputed tax liability shall be paid by the petitioner within a period of four weeks from today. For four weeks, there shall be an unconditional stay and stay shall continue till disposal of appeal, provided the amount is deposited within the stipulated time. The deposit of amount shall be without prejudice to the rights of the petitioner in appeal. If any amount has already been paid by the petitioner, the same shall be given credit.

Writ Petition is disposed of accordingly. No costs.

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BILAL NAZKI, J

16th July 2007

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S. ANANDA REDDY, J

ajr